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SUBJECT: KAZAKHSTAN: INTERNATIONAL SEMINAR ON ANTICORRUPTION
STRATEGY

¶1. Summary: On April 24, the Academy of Public Administration hosted an International Seminar on "Anti-Corruption Strategy: Theory and Applications.". The one-day seminar generated 16 recommendations for Kazakhstan which if implemented would significantly combat corruption. Most significantly, the experts recognized that punitive measures alone will not reduce corruption; socially stigmatizing corruption is necessary. End summary.

BACKGROUND

¶2. Addressing the Security Council in February, President Nazarbayev stated that in the light of the goal of Kazakhstan to rank among the world's 50 most competitive countries, combating corruption must be one of the priorities of state policy and was the responsibility of all state agencies. In order to begin fulfilling the task set forth by the President, on April 24 the Academy of Public Administration conducted a seminar to discuss the integration of progressive anti-corruption forces of Kazakhstan and collaboration with other countries.

¶3. Among the participants were representatives of international organizations, diplomatic missions, social scientists and academicians, Kazakhstani officials from the Presidential Administration, Security Council, Parliament, Constitutional Council, Supreme Court, KNB, other law enforcement and security agencies, representatives of banking sector, national companies, and educational institutions.

CORRUPTION, CORRUPTION EVERYWHERE

¶4. The participants of the seminar discussed the role of educational institutions in combating corruption, national security and state anticorruption policy, how to fight corruption in land management, and corruption prevention in tax administration. During the session on international anticorruption practices, the participants discussed challenges and prospects of anti-corruption efforts, international legal cooperation in fighting corruption, and corruption as a threat to national security. They also talked about how to intensify anti-corruption practices in Kazakhstan, considered the origins of corruption, pondered whether lobbying was a type of corruption, and compared practices in light of anti-corruption strictures of Kazakhstani legislation. The participants touched upon corruption and anti-corruption practices in law enforcement agencies, legal and organizational challenges in MVD anticorruption strategy, corruption prevention in the armed forces. They also discussed Kazakhstan's ranking in the Transparency International corruption index (para six) and learned about the statistical basis on which the rankings are calculated.

LET'S BORROW BEST PRACTICES FROM ABROAD

¶5. At the Plenary session, the Chairman of Anticorruption Committee underscored the necessity and importance of studying best international practices to develop Kazakhstani anti-corruption policy. In particular, he pointed out that corruption in GOK procurement need to be resolved on a legislative level.

¶6. The Ambassador of the Slovak Republic, Dushan Podgorski pointed out that government procurement is highly corrupted not only in Kazakhstan but in many other countries and quoted a survey where 60% of respondents in Slovakia believe that state procurement is an area that is often corrupted. The Ambassador also provided statistics on Kazakhstan's overall rank in the Transparency International 2006 Corruption Perceptions Index (113/163) with a score of 2.6 on five point scale. This put Kazakhstan ahead of neighboring Russia at 127, Kyrgyzstan at 142, Turkmenistan at 149, Tajikistan at 150, and Uzbekistan at 155.

¶7. EU expert Michelle Sigo shared the experience of European countries in combating money laundering, pointing out that this evil creates favorable conditions for corruption. Speakers repeatedly underscored that the implementation of electronic government would help fight corruption.

¶8. INL Officer spoke at the plenary session explaining U.S. interest in combating money laundering as a pathway to preventing terrorism, creating a financial sector compliant with international standards, and preventing corruption. He reiterated U.S. readiness to assist Kazakhstan to establish and train a Financial Intelligence Unit when Kazakhstan enacts the necessary enabling legislation. He noted e-government was an opportunity to de-layer the bureaucracy

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and eliminate possibilities for corrupt individuals to demand bribes when official documents are transmitted.

¶9. International practice of combating corruption in the Asian-Pacific Region was shared by Zautbek Turisbekov, Chairman of the Public Administration Agency (and former Minister of Internal Affairs) who visited Malaysia, Singapore, Australia and New Zealand last year to study their experience. He stressed that in these countries anticorruption policy is not based on deterrence but is focused on development of a professional public service with a high ethical standard. Using social science research and public involvement in combating anti-corruption, officials in these countries created ethical codes of conduct rooted in the fact that professionals do not accept bribes. According to Turisbekov, this has become a motto for many civil servants.

¶10. He also noted that in Malaysia, for example, they consider both factors, "the need" and "the greed", when sentencing a person for accepting a bribe. If it is determined that need drove the bribe taker to accept the bribe he will be fired and banned for life from work in civil service. If it was greed, the bribe taker may also receive a lengthy prison sentence.

PARTICIPANTS' RECOMMENDATIONS

¶11. As a result of the Seminar, the participants developed the following 16 recommendations which they believe will significantly improve Kazakhstan's anti-corruption efforts:

- a. Adopt a compressive approach to implement the anti-corruption policy of the Anti-Corruption State Program for 2006-2010;
- b. Study the most successful and internationally-accepted anticorruption strategies and adapt them to Kazakhstani society and culture;
- c. Bring Kazakhstani legislation into accordance with international

standards including through ratification of international conventions. The first that should be ratified is the UN Anti-Corruption Convention, then the EC Convention on criminal activity for corruption. International corruption standards should be incorporated into national legislation;

d. Continue supporting the establishment of a single government agency responsible developing anti-corruption strategies and which would consolidate all state and public structures responsible for combating, preventing, and monitoring corruption;

e. Implement accountability, transparency, and public oversight of and access to state agencies;

f. Implement an evaluation system to assess financial activity of government agencies in order to detect corruption;

g. Improve the current procedure for selecting judges and increase the anti-corruption responsibility of the chairmen of the courts of law;

h. Promote development of socially responsible businesses and decide whether to adopt a law regulating lobbying;

i. Develop a management culture that will inculcate internationally accepted values into Kazakhstani culture;

j. Based on the Code of Honor of state employees approved in May 2005, develop and improve codes of professional ethics in law enforcement and public administration agencies that will promote moral improvement and increase the responsibility of state officials;

k. Advocate for anti-corruption legislation through the use of mass media and public outreach, create a training center for legal studies for all state officials and other citizens to demonstrate the preference for preventive, not punitive measures;

l. Increase the role of mass media in exposing corruption cases and require government officials to make public information about each corruption case covered by the press;

m. Improve the personnel policy by improving transparency and objectiveness in the hiring policy. Recruit capable, honest, and well recommended employees for state service;

n. Regularly monitor professional ethics and efforts to combating corruption;

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o. Actively include anti-corruption training into official curricula covering professional, legal, and humanitarian courses, to successfully implement the state anti-corruption policy of the; and

p. Require state agencies to consider all analytical and practical recommendations developed during conferences and seminars on anti-corruption; create a special unit to study, summarize and advocate for implementation of the most valuable recommendations and proposals developed during conferences and seminars.

COMMENT

¶12. Conference participants seemed to agree that corruption is a social problem which can be conquered only through joint efforts of government, business, and society. The speakers advocated for combining preventive and punitive measures, as well as law enforcement efforts to combat corruption. However, they claimed that the most important factor in combating corruption is public intolerance. In short, they believe that corruption must become a shameful and disgraceful act unacceptable to society at large.

¶13. To change the public perception of the acceptability of corruption, participants proposed that the state should become more

efficient, in part by creating professional standards and ethical codes, opening government to public scrutiny, and streamlining the process through which citizens interact with the government. Post welcomes these initiatives and will monitor progress, but must point out that this is likely to occur in fits and starts. No particular individual or group took ownership of securing implementation of the recommendations, a situation that often makes initiatives such as this "bureaucratic orphans."

ORDWAY